Remarks:

1.   Summary of the Rejections in the Office Action of September 4, 2003

At page 3, paragraph 6 of the Office Action, the Examiner rejects claims 1-4, 8, 9, 11, 13-15, 18, and 19 under 35 U.S.C. § 103(a), as allegedly being obvious in view of U.S. Patent No. 6,272,556 B1 to Gish and U.S. Patent No. 6,324,578 B1 to Cox et al. ("Cox"). At page 12, paragraph 17 of the Office Action, the Examiner also rejects claims 5-7, 10, 12, 16, and 17 under 35 U.S.C. § 103(a), as allegedly being obvious in view of Gish, Cox, and U.S. Patent No. 6,026,437 to Muschett et al. ("Muschett").

2.   35 U.S.C. § 103(a) Rejections

At page 3, paragraph 6 of the Office Action, the Examiner rejects claims 1-4, 8, 9, 11, 13-15, 18, and 19 under 35 U.S.C. § 103(a), as allegedly being obvious in view of Gish and Cox, and at page 12, paragraph 17 of the Office Action, the Examiner rejects claims 5-7, 10, 12, 16, and 17 under 35 U.S.C. § 103(a), as allegedly being obvious in view of Gish, Cox, and Muschett.

The Applicant respectfully TRAVERSES the Examiner's obviousness rejections and asserts the following remarks in response:

In order for the Examiner to establish a prima facie case for obviousness, three (3) criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to those of ordinary skill in the art, to modify the primary reference as the Examiner proposes. Second, there must be a reasonable expectation of success in connection

with the Examiner's proposed combination of the references. And third, the prior art references must <u>disclose or suggest all of the claim limitations</u>. MPEP 2143 (emphasis added). The Applicant maintains that the Examiner fails to establish a <u>prima facie</u> case for obviousness because the Examiner fails to satisfy his burden of showing that the prior art discloses or suggests all of the claimed limitations of claims 1-19.

a.   **Independent Claim 1**

The Applicant's independent claim 1 describes a system comprising "a client administrator configured to . . . execute said at least one first software package[,] . . . the execution of said at least one first software package <u>allowing said server to be administered by said client administrator</u> via said electronic data network." (Emphasis added.) At page 4, paragraph 7 of the Office Action, the Examiner acknowledges that Gish does not disclose or suggest "means wherein the client is an administrator and the execution of the at least one first software package allows the server to be administered by the client administrator." However, at page 4, paragraph 7 of the Office Action, the Examiner alleges that Cox discloses or suggests these missing elements, and that it would have been obvious to those of ordinary skill in the art at the time of the invention to modify Gish to include these missing elements. The Applicant maintains that neither Gish, Cox, nor Muschett discloses or suggests that the execution of the software package may allow the server to be administered by the client administrator, as set forth in independent claim 1.

For example, Cox states that "it is an object of the present invention to provide methods, systems, and computer program products for management of configurable application programs on a computer network which allow for a mix of user and system administrator defined configurable preferences to be associated with specific application programs." Cox, Column 3, Lines 40-45 (emphasis added.) Specifically, "[a]n application program having a plurality of configurable preferences and a plurality of authorized users is installed on a server coupled to a computer network." *Id.* at Column 4, Lines 25-27 (emphasis added.) For example, a computer network system 10 may include a server 22 coupled to a pair of clients 24 and 24′, a server 22′ coupled to a pair of clients 26 and 26′, and "[s]ervers 22 and 22′ each provide an application management system for managing configurable application programs using both user and administrative preferences for various application programs." *Id.* at Column 6, Lines 46-62; and Column 7, Lines 10-13. In particular, "[a]t block 56, a user set of the plurality of configurable preferences is obtained which is associated with one of the plurality of authorized users of the application program," and "[a]n administrator set of the plurality of configurable preferences for the application program is obtained from an administrator block 58. The administrator provides the administrator set of preferences [to the server 22, 22′] by executing the configuration manager applet at the client 24, 24′." *Id.* at Column 8, Lines 55-67. "The application program is then executed using the obtained user set and the obtained administrator set of the plurality of configurable preferences responsive to a request from one of the plurality of authorized users". *Id.* at Column 4, Lines 33-37.

However, because the application program is a "configurable application program" having a "plurality of configurable preferences," when the administrator provides the administrator set of preferences to the server, **it is the application program, and not the server, which is configured based on the administrator set of preferences associated with the application program**. (Emphasis added.) As such, Cox does not disclose or suggest that the execution of a software package allows the server to be administered by the client administrator. Therefore, the Applicant respectfully requests that the Examiner withdraw the obviousness rejection of claim 1, and allow the same to issue in a U.S. patent.

b. Independent Claim 11

The Applicant's independent claim 11 describes a system comprising "a client administrator configured to . . . execute said at least one first software package[,] . . . said at least one first software package <u>allowing said server on which said at least one first software program is stored to be administered by said client administer</u>." (Emphasis added.) At page 9, paragraph 13 of the Office Action, the Examiner acknowledges that Gish does not disclose or suggest "means wherein the client is an administrator and the at least one first software package allows the server on which the at least one first software program is stored to be administered by the client administrator." However, at page 9, paragraph 13 of the Office Action, the Examiner alleges that Cox discloses or suggests these missing elements, and that it would have been obvious to those of ordinary skill in the art at the time of the invention to modify Gish to include these missing elements. The Applicant maintains that

neither Gish, Cox, nor Muschett discloses or suggests that the software package may allow the server to be administered by the client administrator, as set forth in independent claim 11.

For example, as set forth above, Cox states that "it is an object of the present invention to provide methods, systems, and computer program products for management of <u>configurable application programs</u> on a computer network which allow for a mix of user and system administrator defined configurable preferences to be associated with <u>specific application programs</u>." Cox, Column 3, Lines 40-45 (emphasis added.) Specifically, "<u>[a]n application program having a plurality of configurable preferences</u> and a plurality of authorized users is installed on a server coupled to a computer network." *Id*. at Column 4, Lines 25-27 (emphasis added.) For example, a computer network system 10 may include a server 22 coupled to a pair of clients 24 and 24´, a server 22´ coupled to a pair of clients 26 and 26´, and "[s]ervers 22 and 22´ each provide an application management system for managing configurable application programs using both user and administrative preferences for various application programs." *Id*. at Column 6, Lines 46-62; and Column 7, Lines 10-13. In particular, "[a]t block 56, a user set of the plurality of configurable preferences is obtained which is associated with one of the plurality of authorized users of the application program," and "[a]n administrator set of the plurality of configurable preferences for the application program is obtained from an administrator block 58. The administrator provides the administrator set of preferences [to the server 22, 22´] by executing the configuration manager applet at the client 24, 24´." *Id*. at Column 8, Lines 55-67. "The application program is then executed using the obtained user set

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and the obtained administrator set of the plurality of configurable preferences responsive to a request from one of the plurality of authorized users". *Id*. at Column 4, Lines 33-37.

However, because the application program is a "configurable application program" having a "plurality of configurable preferences," when the administrator provides the administrator set of preferences to the server, **it is the application program, and not the server, which is configured based on the administrator set of preferences associated with the application program**. (Emphasis added.) As such, Cox does not disclose or suggest that the software package allows the server to be administered by the client administrator. Therefore, the Applicant respectfully requests that the Examiner withdraw the obviousness rejection of claim 11, and allow the same to issue in a U.S. patent.

c. **Independent Claim 14**

The Applicant's independent claim 14 describes a method comprising the step of "at said client administrator, executing said at least one first software package . . . to produce an administrative interface wherein said server may be administered via said electronic data network." (Emphasis added.) At page 9, paragraph 13 of the Office Action, the Examiner acknowledges that Gish does not disclose or suggest the step of executing the software package to produce an administrative interface, such that the server may be administered by the client administrator. However, at page 9, paragraph 13 of the Office Action, the Examiner alleges that Cox discloses or suggests these missing elements, and that it would have

been obvious to those of ordinary skill in the art at the time of the invention to modify Gish to include these missing elements. The Applicant maintains that neither Gish, Cox, nor Muschett discloses or suggests executing the software package to produce an administrative interface, such that the server may be administered by the client administrator, as set forth in independent claim 14.

For example, as set forth above, Cox states that "it is an object of the present invention to provide methods, systems, and computer program products for management of <u>configurable application programs</u> on a computer network which allow for a mix of user and system administrator defined configurable preferences to be associated with <u>specific application programs</u>." Cox, Column 3, Lines 40-45 (emphasis added.) Specifically, "<u>[a]n application program having a plurality of configurable preferences</u> and a plurality of authorized users is installed on a server coupled to a computer network." *Id.* at Column 4, Lines 25-27 (emphasis added.) For example, a computer network system 10 may include a server 22 coupled to a pair of clients 24 and 24′, a server 22′ coupled to a pair of clients 26 and 26′, and "[s]ervers 22 and 22′ each provide an application management system for managing configurable application programs using both user and administrative preferences for various application programs." *Id.* at Column 6, Lines 46-62; and Column 7, Lines 10-13. In particular, "[a]t block 56, a user set of the plurality of configurable preferences is obtained which is associated with one of the plurality of authorized users of the application program," and "[a]n administrator set of the plurality of configurable preferences for the application program is obtained from an administrator block 58. The administrator provides the administrator set of preferences [to the server 22, 22′]

by executing the configuration manager applet at the client 24, 24´." *Id.* at Column 8, Lines 55-67. "The application program is then executed using the obtained user set and the obtained administrator set of the plurality of configurable preferences responsive to a request from one of the plurality of authorized users". *Id.* at Column 4, Lines 33-37.

However, because the application program is a "configurable application program" having a "plurality of configurable preferences," when the administrator provides the administrator set of preferences to the server, **it is the application program, and not the server, which is configured based on the administrator set of preferences associated with the application program**. (Emphasis added.) As such, Cox does not disclose or suggest executing the software package to allow the server to be administered by the client administrator. Therefore, the Applicant respectfully requests that the Examiner withdraw the obviousness rejection of claim 14, and allow the same to issue in a U.S. patent.

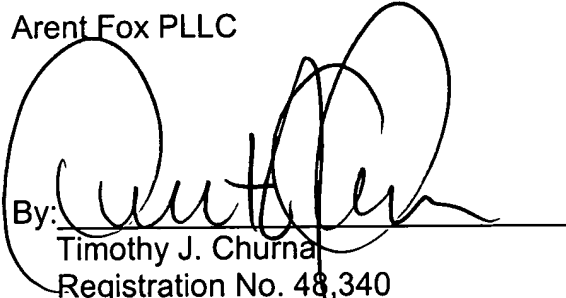### d. Dependent Claims 2-10, 12, 13, and 14-19

Claims 2-10, 12, 13, and 14-19 depend from independent claims 1, 11, and 14, respectively. "If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious." MPEP 2143.03 (citations omitted). Therefore, the Applicant respectfully requests that the Examiner also withdraw the obviousness rejections of claims 2-10, 12, 13, and 14-19, and allow the same to issue in a U.S. patent.

CONCLUSION

The Applicant respectfully submits that the above-titled patent application is in condition for allowance, and such action is earnestly requested. If the Examiner believes that an in-person or telephonic interview with the Applicant's representatives will in any way expedite the examination of the above-titled patent application, the Examiner is invited to contact the undersigned attorney of record. The Applicant is enclosing a check in the amount of $86.00 to cover the requisite large entity fee for one (1) independent claim in excess of three (3) independent claims. However, in the event of any variance between the fees determined the Applicant and those determined by the U.S. Patent and Trademark Office, please charge any such variance to the undersigned's Deposit Account No. 01-2300.

Respectfully submitted,

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